GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1760
ANSWERED ON:12.03.2008
EXCHANGE OF PRISONERS BETWEEN INDIA AND PAKISTAN
Nikhil Kumar Shri

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the protocol on the exchange of prisoners between India and Pakistan is not being implemented in letter and spirit;

(b) if so, the details thereof; and

(c) the action taken/proposed to be taken by the Government in this regard?

Answer

THE MINISTER OF EXTERNAL AFFAIRS (SHRI PRANAB MUKHERJEE)

(a)&(b) The present arrangement between India and Pakistan on grant of consular access and the release of each other's nationals in custody is governed by the provisions of the Protocol on Consular Access of 2 November 1982. Government are concerned that 372 fishermen and an estimated 199 prisoners are in jails in Pakistan, many of whom have not been granted consular access despite prolonged periods of being in custody.

(c) A new Consular Agreement is being finalised with Pakistan to replace the existing protocol to ensure expeditious release of and consular access to prisoners. A Judicial Committee comprising superior judges from both countries has been set up to address such issues.